



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,507	03/20/2001	Peter Moore	2653-001	1807

7590 10/12/2005

Roberts Abokhair & Mardula, L.L.C.
Suite 1000
11800 Sunrise Valley Drive
Reston, VA 20191-5302

EXAMINER

BASS, JON M

ART UNIT PAPER NUMBER

3639

DATE MAILED: 10/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/812,507

Applicant(s)

MOORE, PETER

Examiner

Jon Bass

Art Unit

3639

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-70 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-70 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

4K

DETAILED ACTION

1. This is in response to the communication "Postal Presort Analysis" filed on March 20, 2001. Claims 1-70 are pending in this application.

Information Disclosure Statement

2. An initialed and dated copy of Applicant's IDS form 1449 is attached to the instant Office action.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-70 are rejected under 35 U.S.C. 102(e) as being anticipated by Pettner (US Patent No. 6,135,292) hereinafter referenced as Pettner.

As Per Claim c1:

Pettner discloses system for analyzing a presort mailing consistent with USPS requirements comprising:

a processor comprising memory, [{fig 1, 50}, memory];

logic for importing a designated database, said database describing a mailing in a format of a collection of files describing the mailing conforming to a standard for communicating information relating to the composition of a presorted mailing, [{{fig 1, 40}}, database review];

a plurality of alternative option sets for presort mailings, [{{col.4, lines 55-61}}, mail piece is measured and parameters for presort selected];

logic for inputting said option sets, [{{col.4, lines 12-14}}, data input device];

logic for analyzing each option set in combination with the database information such that an analysis for each option set produces a modeled mailing presort and calculates resultant cost and effects, [{{fig 3}}, see details, presort program];

storage for storing input, imported files and resultant cost and effects, and logic for presenting said resultant cost and effects, [{{abstract}}, memory for storing the sets of data].

As Per Claim c2:

Pettner discloses system wherein at least one option set comprises parameters not supported by USPS regulations, [{{col.2, lines 42-44}}, presort program sort mail based on a set of parameters].

As Per Claim c3:

Pettner discloses system wherein the presentation of the resultant cost and effects is unique for each option set, [{{col.4, lines 63-65}}, parameter include the payment method].

As Per Claim c4:

Pettner discloses system for further comprising:

logic for identifying packages of mail contained in the imported designated database,
[{{col.4, lines 32-33}}, parameter include identifying codes, routes and delivery];

and logic for sorting said packages by container consistent with modeled mailing presort
and consistent with the analysis for each option set, [{{col.4, lines 66-67}}, presort parameter
maybe types of containers to be delivered].

As Per Claim c5:

Pettner discloses system for further comprising: logic for computing an optimum presort
strategy for the identified packages; and logic for calculating a figure of merit for the analysis for
each option set, [{{col.4, lines 53-55}}, output of the presort program].

As Per Claim c6:

Pettner discloses system wherein said cost comprises a cost to the USPS of processing the
presort mailing, [{{col.4, lines 63-65}}, parameters include payment method].

As Per Claim c7:

Pettner discloses system wherein said cost comprises a cost of postage for the presort
mailing, [{{col.4, lines 63-65}}, parameters include payment method].

As Per Claim c8:

Pettner discloses system wherein said cost comprises a cost of processing the presort mailing as incurred in the preparation of the mailing, [{col.4, lines 63-65}, parameters include payment method]..

As Per Claim c9:

Pettner discloses system for further comprising logic for calculating an average delivery factor for said modeled mailing presort wherein the average delivery factor represents effects on postal delivery for a presort mailing, [{col.4, lines 66-67}, parameters maybe the type of container to be delivered to post office.

As Per Claim c10:

Pettner discloses system wherein the processor further comprises logic for presenting results of the analysis for each option set such that the cost and effects are compared, [{col.4, lines 53-55}, display an output of the present program].

As Per Claim c11:

Pettner discloses system for wherein the processor further comprises logic for presenting resultant cost and effects in a form sufficient for creating a Negotiated Service Agreement between USPS and the mailer, [{abstract}, determining postage discount].

As Per Claim c12:

Pettner discloses system wherein the processor further comprises logic for presenting resultant cost and effects in a form sufficient for creating a Niche Classification agreement between USPS and the mailer, [{abstract}, determining postage discount].

As Per Claim c13:

Pettner discloses system further comprising logic for deriving a presort job file for any of the plurality of option sets of a user's choosing, [{col.4, lines 57-60}, presort parameters for presort are selected].

As Per Claim c14:

Pettner discloses system for further comprising logic for formatting the presort job file in a format consistent with the format required by a specific presort program, [{col.4, lines 57-60}, presort parameters for presort are selected].

As Per Claim c15:

Pettner discloses system for further comprising logic for deriving a parameter file implicit in the imported database, said parameter file comprising options and parameters used to create the imported database, [{fig 2, 120}, select postal coding parameter].

As Per Claim c16:

Pettner discloses system for further comprising: logic for importing Name and Address Label file of a presort mailing inherent in the imported database, [{col.4, lines 27-30}, user is prompted to create an address list];

logic for allowing a user to choose a preferred option set, [{fig 2, 160}];

logic for sorting the name and address entries in a modeled mailing presort order resulting from the analysis using the preferred option set[{col.4, lines 27-30}, user is prompted to create an address list];

and logic for creating a sorted name and address entries file sufficient for printing mailing labels in the modeled mailing presort order resulting from the analysis using the preferred option set, [{col.4, lines 27-30}, user is prompted to create an address list];

As Per Claim c17:

Pettner discloses system for further comprising:

logic for allowing a user to choose a preferred option set, [{fig 2, 160}, select parameters];

and logic for creating a new database, said database consistent with the preferred option set and consistent with presort mailing industry requirements in describing a mailing in a format standard for communicating information relating to the composition of a presorted mailing, [{fig 2, 110}, address list].

As Per Claim c18:

Pettner discloses system for further comprising an interface for substituting an actual value parameter for an estimated parameter or an omitted parameter, [{{fig 1, 70}}, user interface].

As Per Claim c19:

Pettner discloses system for wherein the actual value parameter is the weight of a mail piece, [{{col.5, lines 39-40}}, mail piece weight measurement].

As Per Claim c20:

Pettner discloses system for The system of claim [c18] wherein the actual value parameter is a percentage of advertising contained in a periodical to be mailed, [{{fig 2, 160}}].

As Per Claim c21:

Pettner discloses system wherein the actual value parameter is a mailing location, [{{fig 2, 160}}].

As Per Claim c22:

Pettner discloses system for wherein the logic for presenting said resultant cost and effects further comprises logic for exporting the resultant cost and effects to a spreadsheet, [{{col.4, lines 63-65}}, parameters include the payment method].

As Per Claim c23:

Pettner discloses system for wherein the logic for presenting said resultant cost and effects further comprises logic for displaying the resultant cost and effects on a display, [{col.4, lines 53-54}, display an output of the presort program].

As Per Claim c24:

Pettner discloses a method for analyzing a presort mailing consistent with USPS requirements comprising:

importing a designated database, said database describing a mailing in a format of a collection of files describing the mailing conforming to a standard for communicating information relating to the composition of a presorted mailing, [{fig 1, 40} database];

importing a plurality of option sets for presort mailings, [{col.4, lines 12-14}, input]];

storing said option sets, [{fig 1, 50}, memory];

analyzing each option set in combination with the database information to produce an analysis for each option set, the analysis comprising modeling a modeled mailing presort and computing the resultant cost and effects, [{col.4, lines 12-14}}];

and presenting said resultant cost and effects, [{fig 1, 80}}].

As Per Claim c25:

Pettner discloses method for wherein at least one option set of the plurality of option sets comprises parameters not supported by USPS regulations, [{fig 2, 160}}].

As Per Claim c26:

Pettner discloses method for wherein the presenting of resultant cost and effects are unique for each option set, [{col.4, lines 63-65}, parameters include the payment method].

As Per Claim c27:

Pettner discloses method for further comprising:

identifying packages of mail contained in the imported designated database, [{fig 3, 280}, run presort on databse];

and sorting said packages by container consistent with the modeled mailing presort and consistent with the option set incorporated in the analysis, [{fig 3, 280}, run presort on databse].

As Per Claim c28:

Pettner discloses method for further comprising: computing an optimum presort strategy for the identified packages of mail, [fig 2, 170];

and calculating a figure of merit for the option set incorporated in the analysis, [fig 2, 170];

As Per Claim c29:

Pettner discloses method for wherein said cost comprises a cost to the USPS of processing the presort mailing, [{col.4, lines 63-65}, parameters include the payment method].

As Per Claim c30:

Pettner discloses method for wherein said cost comprises a cost of postage for the presort mailing, [{col.4, lines 63-65}, parameters include the payment method].

As Per Claim c31:

Pettner discloses method for wherein said cost comprises a cost of processing the presort mailing as incurred in the preparation of the mailing, [{col.4, lines 63-65}, parameters include the payment method].

As Per Claim c32:

Pettner discloses method for wherein said effects comprises an average delivery factor for said mailing, [{col.4, lines 63-65}, parameters include the payment method].

As Per Claim c33:

Pettner discloses method for wherein the presenting of the resultant cost and effects for the analysis for each option set comprises presenting cost and effects such that a user can compare the results of the analysis for each option set, [{col.4, lines 63-65}, parameters include the payment method].

As Per Claim c34:

Pettner discloses method for wherein the presenting of the cost and effects comprises presenting cost and effects such that the resultant cost and effects are used as a basis for a Negotiated Service Agreement between USPS and the mailer, [{col.4, lines 63-65}, parameters include the payment method].

As Per Claim c35:

Pettner discloses method for The method of claim [c25] wherein the presenting of cost and effects comprises presenting resultant cost and effects in a form sufficient for creating a basis for a Niche Classification agreement between USPS and the mailer, [{col.4, lines 63-65}, parameters include the payment method].

As Per Claim c36:

Pettner discloses method for further comprising creating a presort job file for any option set of a user's choosing, [{fig 3, 270}, enter set up parameters for presort].

As Per Claim c37:

Pettner discloses method for wherein the creating a presort job file comprising creating a file in a format consistent with the format required by a specific presort program of the user's choosing, [{fig 3, 270}, enter set up parameters for presort].

As Per Claim c38:

Pettner discloses method for further comprising deducing options and parameters in an option set inherent in the imported database, [fig 3, 270].

As Per Claim c39:

Pettner discloses method for comprising: importing a Name and Address Label file associated with a presort mailing inherent in the imported database, [fig 2, 110];

a user choosing a preferred option set, [{fig 2, 160} parameters];

sorting the name and address entries in an modeled mailing presort order resulting from the analysis using the preferred option set, [{fig 3, 280} run presort database];

and creating a sorted name and address entries file sufficient for printing mailing labels in the modeled mailing presort order resulting from the analysis using the preferred option set, [{fig 2, 110}, create address list].

As Per Claim c40:

Pettner discloses method for The method of claim [c24] further comprising: a user to choosing a preferred option set;

and creating a new database, said database consistent with the preferred option set and consistent with presort mailing industry requirements in describing a mailing in a format standard for communicating information relating to the composition of a presorted mailing., [{fig

2, 110}, create address list].

As Per Claim c41:

Pettner discloses method further comprising substituting an actual value parameter for an estimated parameter or an omitted parameter, [fig 2, 160], parameters].

As Per Claim c42:

Pettner discloses method for wherein the actual value parameter is a weight of a mail piece, [{col.5, lines 39-40}, mail piece weight measurement].

As Per Claim c43:

Pettner discloses method for wherein the actual value parameter is a percentage of advertising contained in a periodical to be mailed, [fig 2, 160].

As Per Claim c44:

Pettner discloses method for wherein the actual value parameter is a mailing location, [{fig 2, 160}, select parameters].

As Per Claim c45:

Pettner discloses method for wherein the presenting said resultant cost and effects comprises exporting said resultant cost and effects to a spreadsheet, [{col.4, lines 63-65}, parameters include the payment method].

As Per Claim c46:

Pettner discloses method for wherein the presenting said resultant cost and effects comprises displaying said resultant cost and effects on a display, [col.4, lines 63-65], parameters include the payment method].

As Per Claim c47:

Pettner discloses a system for analyzing a presort mailing consistent with USPS requirements comprising: a processor comprising memory, [fig 1, 50];

logic for importing a designated database, said database describing a mailing in a format of a collection of files describing the mailing conforming to a standard for communicating information relating to the composition of a presorted mailing, [fig 1, 40];

an option set for presort mailing; logic for inputting said option set, [fig 3, 270];

logic for analyzing the option set in combination with the designated database such that an analysis for the option set produces a modeled mailing presort and calculates resultant cost and effects, [fig 1, 40];

storage for storing input, imported files and resultant cost and effects;

and logic for presenting said resultant cost and effects, [fig 1, 50].

As Per Claim c48:

Pettner discloses a system for wherein the option set comprises a parameter not supported by USPS regulations, [col.2, lines 42-44], presort programs sort mail based on a set of

parameters]

As Per Claim c49:

Pettner discloses a system for further comprising: logic for identifying packages of mail contained in the imported designated database, [{{fig 1, 40}}];

and logic for sorting said packages by container consistent with modeled mailing presort and consistent with the analysis, [{{fig 2, 170}}, presort].

As Per Claim c50:

Pettner discloses a system comprising: logic for computing an optimum presort strategy, [{{fig 2, 170}}];

and logic for calculating a figure of merit for the option set incorporated in the analysis, [{{col.4, lines 63-65}}, parameters include the payment method].

As Per Claim c51:

Pettner discloses a system for wherein the logic for presenting cost and effects is structured such that the presentation is in a form sufficient for creating a Negotiated Service Agreement between USPS and the mailer, [{{col.4, lines 63-65}}, parameters include the payment method].

As Per Claim c52:

Pettner discloses a system for wherein the logic for presenting cost and effects is structured such that the presentation is in a form sufficient for creating a Niche Classification agreement between USPS and the mailer, ,[{col.4, lines 63-65}, parameters include the payment method].

As Per Claim c53:

Pettner discloses a system for further comprising: logic for importing Name and Address Label file of a presort mailing inherent in the imported database, [{fig 2, 110}, create address list];

logic for sorting the name and address entries in a modeled mailing presort order resulting from the analysis, [{fig 2, 170}, run presort]

and logic for creating a sorted name and address entries file sufficient for printing mailing labels in the modeled mailing presort order resulting from the analysis using the option set, [{fig 2, 180}, output presort results].

As Per Claim c54:

Pettner discloses a system for further comprising: logic for creating a new database, said database consistent with the option set and consistent with presort mailing industry requirements in describing a mailing in a format standard for communicating information relating to the composition of a presorted mailing, [{fig.2, and fig 1, 40}].

As Per Claim c55:

Pettner discloses a system for further comprising an interface for substituting an actual value parameter for an estimated parameter or an omitted parameter, [fig 2, 120].

As Per Claim c56:

Pettner discloses a system for wherein the actual value parameter is the weight of a mail piece, [{col.5, lines 39-40}, mail piece weight measurement].

As Per Claim c57:

Pettner discloses a system for wherein the actual value parameter is a percentage of advertising contained in a periodical to be mailed, [fig 2, 160].

As Per Claim c58:

Pettner discloses a system for wherein the actual value parameter is a mailing location, [{fig 2, 160}].

As Per Claim c59:

Pettner discloses a system for A method for analyzing a presort mailing consistent with USPS requirements comprising:

importing a designated database, said database describing a mailing in a format of a collection of files describing the mailing conforming to a standard for communicating information relating to the composition of a presorted mailing, [{fig 1, 40}];

inputting an option set for presort mailings, [{col.4, lines 12-14} inputting device];

storing said option set, [{fig 1, 50} memory];

analyzing the option set in combination with the database information such that an analysis produces a modeled mailing presort and a resultant cost and effects; and presenting said resultant cost and effects, [{fig 1, 80}].

As Per Claim c60:

Pettner discloses a system for wherein the option set comprises a parameter not supported by USPS regulations, [{col.2, lines 42-44}, presort programs sort mail based on a set of parameters].

As Per Claim c61:

Pettner discloses a system for further comprising:

identifying packages of mail contained in the imported designated database, [fig 1, 40],
and sorting said packages by container consistent with modeled mailing presort and consistent with the analysis, [{col.4, lines 59-60}, presort parameters for presort are selected];

As Per Claim c62:

Pettner discloses a system for further comprising: computing an optimum presort strategy for the identified packages of mail[{fig 2, 170}];
and calculating a figure of merit for the option set incorporated in the analysis, [{fig 2, 170}].

As Per Claim c63:

Pettner discloses a system for wherein the presenting of the cost and effects comprises presenting cost and effects in a form sufficient for creating a basis for a Negotiated Service Agreement between USPS and the mailer, [{col.4, lines 63-65}, parameters include the payment method].

As Per Claim c64:

Pettner discloses a system for wherein the presenting of cost and effects comprises presenting cost and effects in a form sufficient for creating a basis for a Niche Classification agreement between USPS and the mailer, [{col.4, lines 63-65}, parameters include the payment method].

As Per Claim c65:

Pettner discloses a system for further comprising: importing Name and Address Label file inherent in the imported database, [{fig 2, 110}, create address list];

sorting the name and address entries in the modeled mailing presort order that reflects the analysis, {fig 2, 170}, run presort]

and creating a sorted name and address entries file sufficient for printing mailing labels in the modeled mailing presort order resulting from the analysis using the option set, [{fig 2, 110}].

As Per Claim c66:

Pettner discloses a system for further comprising: creating a new database, said database consistent with the option set and consistent with presort mailing industry requirements in describing a mailing in a format standard for communicating information relating to the composition of a presorted mailing, [{fig 2, 110}, create address list and {fig 1, 40}].

As Per Claim c67:

Pettner discloses a system for further comprising substituting an actual value parameter for an estimated parameter or an omitted parameter, [{fig 2, 160}].

As Per Claim c68:

Pettner discloses a system for wherein the actual value parameter is a weight of a mail piece, [{col.5, lines 39-40}, mail piece weight measurement].

As Per Claim c69:

Pettner discloses a system for wherein the actual value parameter is a percentage of advertising contained in a periodical to be mailed, [{fig 2, 160}, parameters].

As Per Claim c70:

The method of claim [c67] wherein the actual parameter is a mailing location, [{fig 2, 160}, parameters].

Conclusion

Any concerns in regard to this communication, the examiner **Jon Bass** can be reached at (571) 272-6905 between the hours of 9-6pm Monday through Friday. The fax number for the establishment where the application is being process is (571) 273-8300.

If an attempt to reach the examiner is unsuccessful for any reason, the examiner's immediate supervisor, **John Hayes** can be reached at (571) 272-6708.

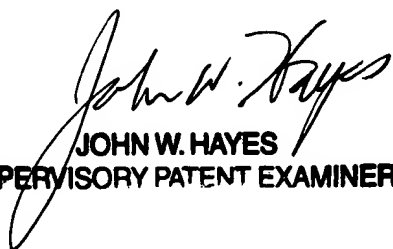
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished is available through Private PAIR only. For more information about the PAIR system, see [http:// pair-direct.uspto.gov](http://pair-direct.uspto.gov). Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-271-9197 (toll free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

C/O Technology Center 3600

Washington, D.C. 20231


JOHN W. HAYES
SUPERVISORY PATENT EXAMINER

